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February 7, 2022

**BY ECF**

Hon. Katherine Polk Failla  
United States District Judge  
Thurgood Marshall United States Courthouse  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

Re: SpecGx LLC v. James, Case no. 18-cv-09830

Dear Judge Failla:

This application is respectfully submitted jointly on behalf of defendants and plaintiff SpecGx, LLC ("SpecGx") requesting an extension of time for the plaintiff SpecGx to file its application for attorney's fees and costs pursuant to 28 U.S.C. § 1988 for a period of thirty (30) days. This would extend the present deadline of February 18, 2022 as set by Your Honor's Order of December 8, 2021 (filed as ECF No. 49), until March 21, 2022.

The defendants, having completed their settlement review process (a multi-level process that must proceed in each of the two relevant agencies, the Office of the Attorney General and the Department of Health, as described in the parties' joint letter of December 7, 2021), have now made a settlement proposal to plaintiff. Plaintiff is reviewing and considering that proposal. The parties believe that additional time is required to complete their negotiations of any settlement terms, if settlement is reached, or, if not, for SpecGx to prepare motion papers. This is the second application for this extension, and the parties do not anticipate additional extension requests. We respectfully submit that judicial economy will be best served by the granting of this request, and hopefully avoiding the need for fees motion practice.

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Thank you for Your Honor's consideration.

Respectfully submitted

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Application GRANTED. Plaintiff SpecGx shall file its application for attorney's fees and costs pursuant to 28 U.S.C. § 1988 on or before March 21, 2022. The Clerk of Court is directed to terminate the pending motion at docket number 50.

Dated: February 8, 2022  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE